

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, November 16, 2020

Mayor Schmidt called the meeting to order at 4:05PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Mona Merrill

Staff Present: Town Manager Dara MacDonald

Town Attorney John Sullivan, Community Development Director Troy Russ, Parks and Recreation Director Janna Hansen, Chief Marshal Mike Reily, Town Planner I Mel Yemma, Finance Director Rob Zillioux, Public Works Director Shea Earley, and Town Clerk Lynelle Stanford (for part of the meeting)

Everyone connected and participated in the meeting via Zoom.

EXECUTIVE SESSION

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees for the review of the Town Manager.

Schmidt mentioned the reason for Executive Session was for discussion of a personnel matter.

Haver moved and Mitchell seconded a motion to go into Executive Session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 4:10PM. The Council returned to open meeting at 5:00PM and took a break before the work session. Mayor Schmidt made the required announcement upon returning to open meeting.

There was a work session on the Enterprise Fund Capital Improvement Master Plan. Then, Mayor Schmidt called the meeting back to order at 7:01PM.

APPROVAL OF AGENDA

Mitchell moved and Merrill seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

1) November 2, 2020 Regular Town Council Meeting Minutes.

2) Emergency Mortgage Assistance Fund MOA with Gunnison Valley Regional Housing Authority (GVRHA).

Mitchell moved and Haver seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." Motion passed unanimously.

A PROCLAMATION OF THE CRESTED BUTTE TOWN COUNCIL RECOGNIZING THE EFFORTS AND DEDICATION OF ALL FIRST RESPONDERS

Schmidt recognized that first responders saved his life, and he acknowledged their response times in his situation. He recalled a past experience of notifying relatives where he saw part of the difficulty of their jobs. Schmidt read the proclamation. He thanked first responders.

PUBLIC COMMENT

Kent Cowherd

- He stated everything was linked together.
- He wanted to keep capacity of the water treatment plant in the minds of Staff. Expansion was important with the idea of increasing affordable housing in the near future.
- The location of the RV dump station tied into the treatment plant nearby.
- He understood the limits of housing at Avalanche Park. He thought it was important to evaluate.
- He had ideas for high-density housing behind the school and for dump station relocation.

STAFF UPDATES

- Schmidt asked whether there was an expansion upon the Manager's Report, specifically related to COVID. MacDonald suggested the Council discuss COVID updates under Other Business.
- Merrill asked about Staff working from home, and she confirmed it was voluntary for MacDonald to enact.
- Schmidt thanked the Marshal's Office for the update on the drug bust.

PUBLIC HEARING

1) Ordinance No. 27, Series 2020 - An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the

Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Town Hall Public Parking Area.

Schmidt read the title of the ordinance. Yemma confirmed the charging station was a Level II charging station.

Schmidt confirmed proper public notice had been given. He opened the public hearing. There were no comments from the public, and the public hearing was closed.

Merrill moved and Haver seconded a motion to approve Ordinance No. 27, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Ordinance No. 28, Series 2020 - An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Fire Station Public Parking Area.

Schmidt read the title of the ordinance. Yemma confirmed the charging station was a fast charging station. Schmidt asked whether the charging station was specific to Tesla, which it was not.

Schmidt confirmed proper public notice was given. He opened the public hearing. No one from the public chose to comment. Schmidt closed the public hearing.

Haver moved and Mitchell seconded a motion to approve Ordinance No. 28, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

1) Elk Avenue Reconfiguration Debrief and Next Steps Discussion.

Yemma explained she would first debrief and then the Council would discuss the next steps for 2021. Yemma stated that Town wanted to provide outdoor space for the summer to encourage commerce and comfort. She presented on what the layout was for Elk Avenue, specifying the number of restaurants that used street seating areas and retail stores that used street areas. Yemma reviewed surveys that were initiated by Staff. 80% of respondents to the latest survey felt the Elk Avenue reconfiguration met or exceeded their expectations. Yemma mentioned positive and negative comments that were received. She identified key themes heard such as: festive atmosphere and concerns about aesthetics.

Russ reported that they studied the traffic and parking impacts of the one-way conversion. Through July, they collected data on Elk Avenue, only. They found, of the 30 time limits studied, 11 were considered full for parking. He summarized the parking was not being used fully. They also looked at traffic in September. They found about

2,500 cars were going down Elk Avenue during the average day. 400 to 600 additional cars used Sopris and Maroon, and 150 to 250 vehicles used Whiterock.

Russ added that they evaluated the economic analysis. Zillioux elaborated they looked at the restaurant and bar segment. The assertion was these businesses had a lot more capacity. Because of that, they had a lift as a segment. There was a table that showed percentages of lift and the sales tax and business revenue that resulted.

Magner commended Staff for collecting data points. She really liked the reconfiguration, and she listed reasons. She heard a lot of feedback concerning the traffic on Sopris and Maroon. Bradley asked whether there were documented traffic accidents or calls on the side streets. Reily affirmed there were not. Haver appreciated the process, the work that Staff did, and the businesses that collaborated for the summer. He was tentative and had worries about making a seasonal change each year. It benefitted some businesses more than others. Magner clarified that she did not have an opinion, yet, about whether the reconfiguration should go forward into the future. Merrill thought it was worth it to continue discussions about whether to implement it. They should continue to engage the community and the businesses. Mitchell thought it went well. She did not have an opinion on next year. It would depend on COVID. Mitchell was open to hearing from the community. She empathized due to the traffic that happened on Maroon and Sopris. They also had to consider getting the benches and tables back into the parks. Dujardin thought it seemed like it worked. He wanted to understand the responses of businesses that were not into it. It did not necessarily have to be done because of COVID. Schmidt did not hear negative comments from people whom he drove. Bicycles going the wrong way were major problems. He thought there was an opportunity to make it look better and not as junky. Schmidt recognized that some of the non-restaurant spaces were not used, and it felt like business owners put something out because they could. He was surprised by how much easier it was to cross Elk Avenue. Schmidt was skeptical about doing it, but he acknowledged that it worked. He was leaning towards doing it again.

Russ stated what he heard from the Council was similar to what he heard from the community. He showed a slide with key topics for decision making such as: safety, parking impacts, traffic and neighborhood impacts, accessibility and pedestrian flow, aesthetics, special events, and costs. Schmidt suggested there be a category added for bicycles. Reily reported on parking areas that were targeted and the order in which they were prioritized. People did well with the 10-minute zones. Dujardin identified bikers riding in the wrong direction bothered him the most. Haver wondered if there was a way to be fairer than what they had been.

Yemma reviewed a slide with the proposed public process and the timeline, starting in December. Schmidt expected there would be many more cars in Town due to public transportation restrictions. Magner thought the impacts to neighboring streets would have an impact on how the public thought about the process. Yemma said they wanted a focus group with the neighborhoods to get to the root of the issue during the process.

Karen Fienberg and Paul Mack

- They live on Maroon.
- The speeds became extremely excessive on Maroon this summer.
- Mack suggested temporary speed bumps would be an advantage.
- He wanted speed on side streets addressed.

Russ asked for Council direction regarding the study. The Council directed Russ to move forward on the study. Haver thanked Russ for the thorough process.

2) Ordinance No. 29, Series 2020 - An Ordinance of the Crested Butte Town Council Amending Section 13-1-120 of the Code to Increase the Minimum Monthly Service Charge Per Meter for Water Used at a "Base Rate" to \$31.00 Per Month Per EQR; Amending Section 13-1-150 of the Crested Butte Municipal Code to Increase the Monthly Service Charge for Sewer Service to \$40.50 Per Month Per EQR.

Schmidt read the title of the ordinance. He recognized the ordinance reflected a raise of \$2 each to water and sewer and a raise to the trash collection rate. Zillioux identified the increase would be 6%. Haver questioned the agreement with Waste Management, and he confirmed the increases to water and sewer were to cover costs.

Dujardin moved and Haver seconded a motion to set Ordinance No. 29, Series 2020 for public hearing on December 7th. A roll call vote was taken with all voting, "Yes."
Motion passed unanimously.

3) Update and Discussion on Avalanche Park Solar Development.

Yemma introduced people on the line: Taylor Henderson from Outshine Energy, Matt Feier from GCEA, and Hillary Seminick from Gunnison County, all of whom were happy to answer questions. Yemma explained a large-scale solar project was a part of the strategy behind the Climate Action Plan and how the project could be done. She reviewed how the Town could lend support by providing land and financial support with Renewable Energy Certificates (RECs).

Yemma said Avalanche Park was identified as an opportunity for large-scale solar. She outlined benefits and drawbacks to the Avalanche Park site. GCEA found the site was suitable, and they decided to go out to bid. They received six bids. The board decided to move forward with Outshine Energy. The array would be four to eight acres in size, mostly avoiding the avalanche hazard zone. Yemma identified the cost for Town to purchase RECs to offset municipal accounts. Yemma listed considerations for the lease agreement. Town would lease the property at minimal to no cost. Town responsibilities would be trailhead and trail re-route, tree removal, and avalanche mitigation. The discussion became detailed around the existing avalanche bumps.

Yemma reviewed budget implications and upfront costs. The RETT funds would need to be reimbursed. Annual costs would include the RECs. She provided a cost comparison to the campground. Yemma showed a slide of the land use process and the proposed timeline.

Henderson, from Outshine Energy, offered to answer any questions. Schmidt asked how the company made money, what kind of maintenance would be required, and how tall the panels would be, all of which Henderson explained. Haver asked further about the height and whether the height of the arrays would exceed the height of the trees. He questioned the term of the lease and whether trees could be added to the north side.

Merrill wondered whether tent sites could be possible. Schmidt recognized costs of a campground including an accel/decel lane and water and sewer. Magner liked the idea of summer use in the area. Mitchell recalled that it was cost prohibitive. She thought it was one or the other, and she like the solar arrays. Merrill envisioned the solar arrays on a building and not in a place that was taking up land. She affirmed that she wanted to see the solar happen. Yemma explained Town did not have roof space to meet the Climate Action Plan goals. Feier acknowledged costs were unknown, and he listed variables. Haver asked how much Town was spending right now. He confirmed the increase would be 5% to 10%.

The discussion turned towards where the energy was produced and purchased. Dujardin asked questions regarding the 1.1 megawatts. Henderson spoke to the energy economics and the project size. Schmidt asked Henderson about the project cost to Outshine Energy. Yemma said Staff wanted to affirm the Council wanted the lease brought forward at the next meeting. Seminick outlined the land use process for the proposal, and she reported on Gunnison County's land use process. The County was generally supportive of the project. She compared and contrasted the process to Town's. Haver was comfortable moving forward and so was Schmidt. Bradley and Mitchell were, too. Dujardin agreed it was really important. No one on the Council voiced disagreement.

4) Presentation on the Slate River Working Group Update.

Yemma welcomed Peter Horgan from the Crested Butte Land Trust. Horgan introduced himself. Yemma provided background on the Slate River Working Group. The result of the process within the group was the Slate River Floating Management Plan. Yemma reviewed management tools such as river fences and the voluntary no-float period.

Horgan provided a recap of the Great Blue Heron study. He showed a slide with a table of life cycle events in 2018, 2019, and 2020 and a slide with event types and hourly rates from 2018, 2019, and 2020. River recreation caused flushing of the birds almost every time. Next, Horgan reported on the River Use study. He noted group characteristics. The human impact at put-ins had tangible results.

Yemma focused on the River Use study at the Rec Path Bridge. 1,570 people were counted as having floated the Slate River. She presented a slide showing where groups received floating information. Yemma reviewed the next steps of the Slate River Working Group. They would propose a subgroup to talk about management tools for the lower stretch of the Slate River and would reconvene the working group to discuss the voluntary no-float period. Hansen said they would be looking at designing the boat launch area, what amenities the site could provide, and cost estimates. They thought it

would be the first step towards addressing the needs of the neighborhood. Hansen confirmed for Schmidt the project could be eligible for a GOCO grant and other grant funding. Yemma returned to the next steps, and she recognized the need for more boater representation. Town and the Land Trust would continue working through logistics. They needed to discuss future sustainability and expectations for the group.

LEGAL MATTERS

Sullivan anticipated the Council would see in December the lease for certain Town properties being utilized for the Town's Internet connection.

COUNCIL REPORTS AND COMMITTEE UPDATES

Will Dujardin

- He referred to the COVID updates he had been sending.
- The housing meeting was scheduled for the same day as the Internet outage day.
 - He had a capacity issue with the Thursday board meetings. Merrill affirmed she could serve on the board.

Mona Merrill

- She had meetings this week.
- She went to public processes for the McCormick Ranch.

Mallika Magner

- The Chamber board meeting would be tomorrow morning at 8AM.

Jim Schmidt

- He attended the Mayor/Managers meeting. There was a lot of talk about COVID.
 - The City of Gunnison has had a lingering annexation called Gunnison Rising that was coming closer to fruition.
 - The Mt. Crested Butte Homestead housing project had been delayed.
 - The School District seemed to be doing a good job with COVID response. Ten kids tested positive but there had not been transmission in the classrooms.
- MacDonald and he attended a Zoom meeting with Tim Baker.
 - The ski area had submitted a plan of operations, and they were waiting to hear from the State and the County.
 - Baker said they could expect not a whole lot to be open on opening day.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

MacDonald referred to the update from the EOC. The State was in the process of creating another level on their dial. The Governor would have a press conference tomorrow. Groups of counties were having conversations and working together to go into the red level. There was not an interest from people who were on the call to voluntarily become more restrictive. The dashboard was still not accurate, but cases in

Gunnison County were increasing. Mitchell had a call on which people were considering a two week shutdown. Schmidt said there was discussion on encouraging people to visit while asking Gunnison County residents to isolate after leaving the county. There was discussion about colors on the State's dial and the Coronameter. Bradley further questioned the color shift. Haver confirmed Gunnison County would move levels on the Coronameter if the hospital transfers could not happen. Dujardin recognized they would continue playing it by ear. MacDonald stated they were imploring people to take personal responsibility.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, December 7, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, December 21, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, January 4, 2021 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt mentioned the next meeting would be on December 7th. He wished everyone a good Thanksgiving.

EXECUTIVE SESSION

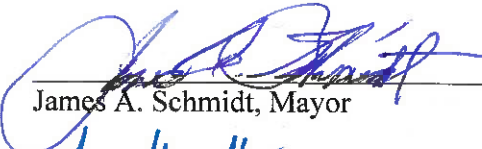
Schmidt read the reason for Executive Session: for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding the sale of TP-1.


Mitchell moved and Haver seconded a motion to go into Executive Session for the discussion of the sale of TP-1. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:56PM. The Council returned to open meeting at 10:57PM. Mayor Schmidt made the required announcement upon returning to open meeting.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 10:57PM.


James A. Schmidt, Mayor


Lyndle Stanford, Town Clerk (SEAL)

